

REMARKS

Claims 4, 6, 8, 10, 14, 16, and 20-22 are pending and under consideration.

In the Final Office Action, the Examiner holds that claim 8 appears to be allowable over the prior art of record, subject to a final search (See, Office Action at page 6).

Claims 4, 6, 10, 14, 16, and 20-22 are finally rejected under 35 U.S.C. §102(b) as being anticipated by Materna et al. (U.S.P. 4,714,995). (See, Office Action at pages 2-9).

A Notice of Appeal is being filed herewith.

In accordance with the foregoing, claims 4, 8, and 10 are amended. Support for the amendments is found, for example in Fig. 2 and pages 11, line 6 - page 14, line 24 and pages 26, line 8 - page 29, line 16 of the specification.

Applicants submit the amendments present no new matter and should not entail any further search by the Examiner since no new features are being added or no new issues are being raised. As set forth in 37 C.F.R. § 1.116:

After a final rejection or other final action (§ 1.113) in an application . . . but before or on the same date of filing an appeal (§ 41.31 or § 41.61 of this title): . . . An amendment presenting rejected claims in better form for consideration on appeal may be admitted.

Applicants submit that the claim amendments presented herein clearly remove issues for appeal and will reduce the burden on the Examiner, the Board of Patent Appeals and Interferences and the Applicants during appeal.

Thus, the Examiner is respectfully requested to enter the claim amendments.

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,
STAAS & HALSEY LLP

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